



UTAH SENTENCING COMMISSION BY-LAWS

Article I – Name

The name of this body shall be the Utah Sentencing Commission.

Article II – Purpose and Scope

1. The purpose, duties, power, responsibilities, authority and organization of the Sentencing Commission shall be in accordance with Utah Code Annotated Title 63, Chapter 25a, Part 3 and other applicable Utah law.
2. These by-laws supplement applicable law and where inconsistent with Utah law, Utah law shall take precedence.

Article III – Leadership

1. The Commission shall elect a chairperson and a vice-chairperson from its membership. They shall be elected by a majority of those present at the annual meeting and shall serve for a term of one year (renewable).
2. A vacancy in the office of chairperson or vice-chairperson shall be filled for the remainder of the unexpired term by a member of the Commission elected by a majority of the Commission members present at the next Commission meeting.
3. The Commission reserves the right to create an executive committee if it deems necessary.

Article IV – Duties of Officers

1. The chairperson shall preside at and conduct all meetings of the Commission.
2. The vice-chairperson shall act as assistant to the chairperson and perform such duties as may be assigned by the chairperson and shall possess all the powers and perform all the duties of the chairperson in the absence or disability of that officer to act.
3. Both officers shall perform the duties prescribed in the parliamentary authority (Robert's Rules of Order) in addition to those outlined in these by-laws.
4. The chairperson shall have power to direct activities of staff and to make emergency decisions on behalf of the Commission. Such decisions shall be subject to review at the next Commission meeting.

Article V – Meetings

1. The Commission shall meet 6 times a year, or as the chairperson deems necessary, or upon the request of any member of the Commission. Reasonable notice of the agenda, date, time, and place of such meetings shall be given.

2. Each member present at any meeting of the Commission shall be entitled to one vote. There shall be no voting by proxy at any meetings of the commission or any committees thereof. If a Commission member must miss a meeting, the member may participate and vote by means of telephone conference or a delegate may be sent. Delegates are not entitled to vote or make motions, but may participate in the discussion. If a member elects to participate in a scheduled meeting by telephone conference, the member must notify the director of that intent 48 hours prior to the meeting.
3. All regular meetings of the Commission are open to the public unless closed pursuant to the provisions of the Open and Public Meeting act, Section 52-4-4 and 52-4-5, Utah Code Annotated, 1953, as amended.

Article VI – Memberships

1. In the event a member of the Commission, whose office does not specifically require membership, misses three consecutive meetings, the Commission shall report non-attendance and request the appointing authority that the member be replaced.
2. If a statutorily designated member of the Commission changes employment, his or her membership will terminate immediately and the new statutorily designated member of the Commission shall immediately fill the position.
3. If an appointed member ceases to meet the qualifications of the appointed or accepts another position which creates a conflict of interest, his or her membership will terminate immediately and the appointing authority shall appoint a replacement to fill the unexpired term

Article VII – Committees

1. Special ad hoc committees may be created by the Commission to serve for a specified period of time. Non-Commission members may serve on these committees as deemed appropriate.
2. Advisory committees related to any aspect of sentencing may be established within the Commission. Non-Commission members may serve on these committees as deemed appropriate.

Article VIII – Amendments

Proposed changes to the by-laws may be presented at any regular meeting of the Commission and must be approved by the majority vote of the members present at such a meeting. Formal, proposed amendments to the by-laws must be submitted in writing to all members of the Commission not less than fourteen (14) days in advance of the next regular meeting, at which time a two-thirds vote of the members present is required for the adoption of the amendment. Amendments become effective immediately upon ratification.

Article IX – Parliamentary Authority

Robert's Rules of Order shall govern the Commission and its committees in all cases in which they are applicable and in which they are not in conflict with these by-laws.